

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Shirley Taylor-Prakelt, Housing & Community Dev. Director/797-1199

SUBJECT: Resolution

TITLE OF AGENDA ITEM:

A Resolution of the Town of Davie, Florida, authorizing the acceptance of a Special Warranty Deed for property herein described on the north side of L-Lake on 61st Avenue, which was donated to the Town by Summerlake Apartments, Ltd., for use as a linear park.

REPORT IN BRIEF:

The Housing and Community Development Office has worked closely with the Carlisle Group (a/k/a Summerlake Apartments, Ltd.), in developing the Summerlake Affordable Housing Project (108 units of affordable rental housing) located in the Eastern CDBG Target Area, on 61st Avenue. This beautiful new complex, is now complete and fully occupied.

In discussions with the Town, the Carlisle Group a/k/a Summerlake Apartments, Ltd., it was determined that it would be mutually beneficial if the property on the north side of L-Lake were developed as a linear park. With this in mind, the owners generously donated the land to the Town for that purpose.

PREVIOUS ACTIONS: None

CONCURRENCES: The Carlisle Group a/k/a Summerlake Apartments, Ltd., is responsible for the grading of the property to meet the Town's Engineering Standards for lake-bank sloping; and, they must abide by all requirements of the Central Broward Drainage District for wetland mitigation, which specifically includes the five-year maintenance of the wetland mitigation area.

FISCAL IMPACT: CDBG funds totaling \$15,000 are currently budgeted in FY 2001/02 to clear the site; and, an additional \$15,000 is in the proposed CDBG budget for FY 2002/03.

RECOMMENDATION(S): Approve the Resolution.

ATTACHMENT(S): Resolution and Special Warranty Deed

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FOR PROPERTY HEREIN DESCRIBED ON THE NORTH SIDE OF L-LAKE ON 61ST AVENUE, WHICH WAS DONATED TO THE TOWN BY SUMMERLAKE APARTMENTS, LTD., FOR USE AS A LINEAR PARK.

WHEREAS, the Housing and Community Development Office worked closely with the Carlisle Group a/k/a Summerlake Apartments, Ltd., in developing the Summerlake Affordable Housing Project (108 units of affordable rental housing) which is located in the Eastern CDBG Target Area on 61st Avenue; and

WHEREAS, it was determined that it would be mutually beneficial for the property on the north side of L-Lake to be developed as a Linear Park; and

WHEREAS, the owners of the parcel i.e., Summerlake Apartments, Ltd., generously donated this land to the Town of Davie for development as a Linear Park; and

WHEREAS, CDBG funds are available to clear and develop the Linear Park; and

WHEREAS, The Carlisle Group a/k/a Summerlake Apartments, Ltd., is responsible for the grading of the property to meet the Town's Engineering Standards for lake bank sloping; and, they must abide by all requirements of the Central Broward Drainage District for wetland mitigation, which specifically includes the five-year maintenance of the wetland mitigation area.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Mayor and Town Administrator are hereby authorized to accept the Special Warranty Deed for the property on the north side of L-Lake on 61st Avenue, described in Exhibit "A" attached, which was donated to the Town by Summerlake Apartments, Ltd., for use as a Linear Park.

SECTION 2. Summerlake Apartments, Ltd., is responsible for the grading of the property to meet the Town's Engineering Standards for lake bank sloping, and must abide by all requirements of the Central Broward Drainage District for wetland mitigation, which specifically includes the five-year maintenance of the wetland mitigation area.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2001.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001.

This Instrument Was Prepared By:

Patricia K. Green, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
150 West Flagler St., Suite 2200
Miami, Florida 33130

Record and Return To:

Patricia K. Green, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
150 West Flagler St., Suite 2200
Miami, Florida 33130

Property Appraiser
Identification No.
0126-44-0010

Grantee's Tax
Identification No.

(Reserved)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 20th day of Sept., 2000,
between SUMMERLAKE APARTMENTS, LTD., a Florida limited partnership (the
"Grantor"), whose mailing address is 2937 S.W. 27th Avenue, Suite 303, Miami,
Florida 33133, in favor of The Town of Davie, Florida, a municipal corporation,
(the "Grantee"), whose mailing address is 6591 ORANGE DRIVE,
DAVIE, FL 33314.

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of TEN DOLLARS
(\$10.00) and other good and valuable consideration, to it in hand paid by
Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain,
sell, alien, remise, release, convey and confirm unto Grantee the real property
(the "Property") located in Broward County, Florida, and more particularly
described in Exhibit "A" attached hereto and made a part hereof.

SUBJECT TO:

1. All easements, conditions, covenants, restrictions, reservations,
limitations and agreements of record, provided that this instrument shall
not reimpose same.
2. Real estate taxes for the year 2000 and all subsequent years.
3. Existing applicable governmental building and zoning ordinances and
other governmental regulations.

TOGETHER with all the tenements, hereditaments and appurtenances
belonging or in any way appertaining to the Property.

TO HAVE AND TO HOLD the same in fee simple forever.

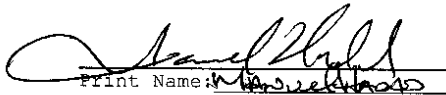
AND GRANTOR hereby covenants with Grantee that Grantor is lawfully
seized of the Property in fee simple; that Grantor has good right and lawful
authority to sell and convey the Property; and that Grantor does hereby fully
warrant the title to the Property and will defend the same against the lawful
claims of all persons claiming by, through or under Grantor, but against none
other. Grantor is hereby bargaining, selling, conveying, and granting the
Property to Grantee in "AS IS" and "WHERE IS" condition in all respects
whatsoever.

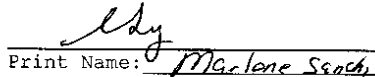
IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed by its duly authorized representative on the day and year first above written.

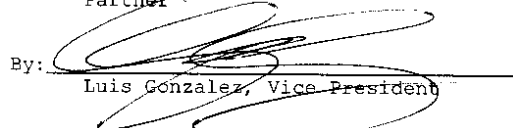
Witnesses:

SUMMERLAKE APARTMENTS, LTD., a Florida limited partnership

By: SUMMERLAKE APARTMENTS, INC., a Florida corporation, its sole General Partner


Print Name: Luis Gonzalez

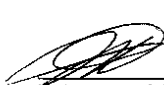

Print Name: MacLane Sandoz

By: 
Luis Gonzalez, Vice President

ACKNOWLEDGMENT

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

September, 2000, The foregoing instrument was acknowledged before me this 20th day of September, 2000, by Luis Gonzalez, as Vice President of Summerlake Apartments, Inc., a Florida corporation, the sole General Partner of Summerlake Apartments, Ltd., a Florida limited partnership, on behalf of the corporation and as an act of the partnership. He is personally known to me or presented a Florida driver's license as identification and did not take an oath.


Notary Public, State of Florida
Print Name: Maria Colon
Commission No. 15-17-2003
My Commission Expires: _____

G:\W-PKG\34756\013\Deed-Linear Park

NOTARY PUBLIC - STATE OF FLORIDA
MARIA COLON
COMMISSION # CC856635
EXPIRES 11/17/2003
BONDED THRU ASA 1-888-NOTARY1



SCALE 1"=100'

LAND DESCRIPTION:

A PORTION OF TRACT 'A', 'LAKEVIEW VILLAS APARTMENTS' AS RECORDED IN PLAT BOOK 147, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 'A';
THENCE NORTH 88°19'59" EAST ALONG THE NORTH LINE OF SAID TRACT 'A', 944.60 FEET;
THENCE NORTH 01°47'31" WEST ALONG THE NORTH LINE OF SAID TRACT 'A', 20.00 FEET;
THENCE NORTH 88°19'59" EAST ALONG THE NORTH LINE OF SAID TRACT 'A', 99.39 FEET;
THENCE SOUTH 01°39'34" EAST ALONG THE EAST LINE OF SAID TRACT 'A', 83.60 FEET;

THENCE SOUTH 88°19'59" WEST 1043.80 FEET;
THENCE NORTH 01°47'31" WEST ALONG THE WEST LINE OF SAID TRACT 'A', 83.60 FEET TO THE POINT OF BEGINNING.
SAID LANDS SITUATE, LYING, AND BEING IN THE TOWN OF DADE, BROWARD COUNTY, FLORIDA AND CONTAINING 88,573 SQUARE FEET (1.574 ACRES) MORE OR LESS.

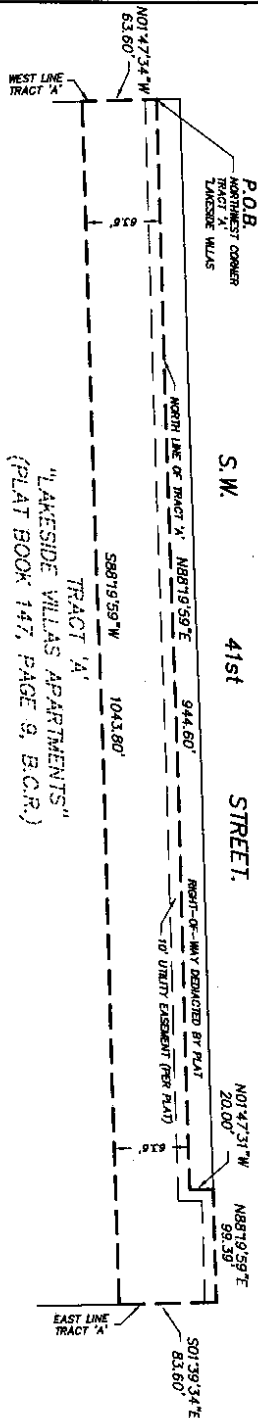


EXHIBIT "A"

REVISIONS

NO.	DATE	REVISION	BY	CHK

SKETCH AND DESCRIPTION

BEHAVIOR SHOWN HEREON ARE RELATIVE TO 'LAKEVIEW VILLAS APARTMENTS' PLAT AS RECORDED IN PLAT BOOK 147, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

NOTE: THIS EASEMENT IS BASED ON INFORMATION SUPPLIED BY CLIENT.
LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD BY SUTTECH ENGINEERING, INC.

ABBREVIATIONS

D.C.R.	DADE COUNTY RECORDS	N/W	RIGHT-OF-WAY
B.C.R.	BROWARD COUNTY RECORDS		
P.O.B.	POINT OF BEGINNING		
P.S.	PLAT BOOK		
P.C.	PAGE		

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL LICENSED SURVEYOR AND MAPPER.

THESEY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL REQUIREMENTS AS SET FORTH IN THE FLORIDA STATUTES, CHAPTER 469, PART 1, AND THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 42.072, FLORIDA STATUTES.

DATED THIS 11th DAY OF SEPTEMBER, 2000

ALEXANDER D. BUCHART
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA REGISTRATION NO. 9999

24450-ALING
JOB NO. 98-2244

SUN Sun-Tech Engineering, Inc.
Engineering - Surveying - Planning
Certification of Authorization Number LB 7018
1600 West Oakland Park Boulevard
Ft. Lauderdale, FL 33311
Phone (954) 777-3133
Fax (954) 777-3114